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Filing date: **01/12/2009**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91187792
Party	Defendant Super Bakery, Incorporated
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Submission	Answer
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Signature	/JWMc/
Date	01/12/2009
Attachments	answer to opposition no 91187792.pdf ( 4 pages )(267497 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

CORPORATION OF GONZAGA	)	Opposition No. 91187792
UNIVERSITY d/b/a GONZAGA	)	
UNIVERSITY	)	Application No. 77/382,118
Opposer,	)	
	)	Mark: BULLDOGADE
v.	)	
	)	
SUPER BAKERY, INCORPORATED,	)	
	)	
Applicant.	)	

**ANSWER TO NOTICE OF OPPOSITION**

Super Bakery, Incorporated (“Applicant”), by and through its attorneys, hereby responds to the individually numbered paragraphs of the Notice of Opposition filed by Corporation of Gonzaga University d/b/a Gonzaga University (“Opposer”) before the Trademark Trial and Appeal Board as follows:

1. Admit.
2. Applicant admits it owns “at least” 20 pending applications to register marks that include the letter string “ADE” for use in connection with sports drinks. Applicant denies the remaining allegations set forth in paragraph 2 of the Notice of Opposition.
3. Admit.
4. Applicant has insufficient information to either admit or deny the allegations set forth in paragraph 4 of the Notice of Opposition, and for this reason, denies such allegations.
5. Applicant has insufficient information to either admit or deny the allegations set forth in paragraph 5 of the Notice of Opposition, and for this reason, denies such allegations.

6. Applicant has insufficient information to either admit or deny the allegations set forth in paragraph 6 of the Notice of Opposition, and for this reason, denies such allegations.

7. Applicant has insufficient information to either admit or deny the allegations set forth in paragraph 7 of the Notice of Opposition, and for this reason, denies such allegations.

8. Based on the Trademark Electronic Search System (TESS) and the Trademark Applications and Registrations Retrieval (TARR) records of the United States Patent and Trademark Office, Applicant admits the portion of the allegations in paragraph 8 of the Notice of Opposition relating to the name and number of the GONZAGA UNIVERSITY BULLDOGS mark, Applicant has insufficient information to either admit or deny the present status or ownership of the registration; therefore, Applicant denies the balance of such allegation.

9. Applicant has insufficient information to either admit or deny the allegations set forth in paragraph 9 of the Notice of Opposition, and for this reason, denies such allegations.

10. The recitations set forth in paragraph 10 of the Notice of Opposition require no reply.

11. Applicant has insufficient information to either admit or deny the allegations set forth in paragraph 11 of the Notice of Opposition, and for this reason, denies such allegations.

12. Applicant has insufficient information to either admit or deny the allegations that Applicant's goods offered under Applicant's mark will be sold to students, fans, and alumni of the University. Applicant denies the remaining allegations set forth in paragraph 12 of the Notice of Opposition.

13. Applicant has insufficient information to either admit or deny the allegations set forth in paragraph 13 of the Notice of Opposition, and for this reason, denies such allegations.

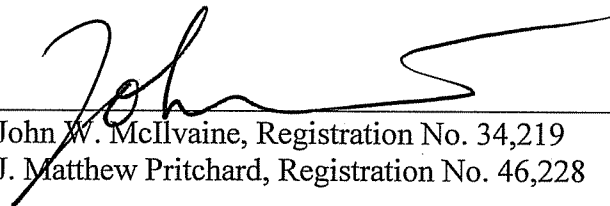
14. Denied.

15. The recitations set forth in paragraph 15 of the Notice of Opposition require no reply.

WHEREFORE, Applicant requests that Opposer's Notice of Opposition be dismissed with prejudice.

Respectfully submitted,

Dated: January 12, 2009

By   
John W. McIlvaine, Registration No. 34,219  
J. Matthew Pritchard, Registration No. 46,228

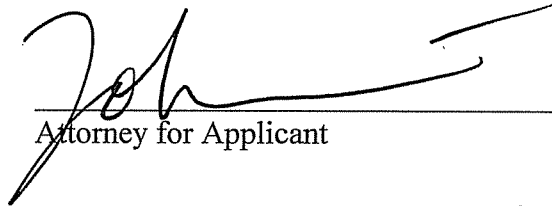
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Attorneys for Applicant

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing ANSWER TO NOTICE OF OPPOSITION was served via First Class Mail, postage prepaid, on this 12th day of January, 2009 upon the following:

Alicia Grahn Jones, Esq.  
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Attorney for Applicant